

RECEIPT NUMBER

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ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

A-D

TISEO ARCHITECTS, INC.,  
a Michigan corporation,

Plaintiff,

v

SSOE, INC., a foreign corporation,

Defendant.

JUDGE : Gadola, Paul V.  
DECK : S. Division Civil Deck  
DATE : 07/07/2005 @ 07:48:18  
CASE NUMBER : 4:05CV40215  
CMP TISEO ARCHITECTS VS SSOE INC  
(LE) SI

THOMAS M. KERANEN & ASSOCIATES, P.C.

Frederick F. Butters P45426

Gary D. Quesada, P48268

Attorneys for Plaintiff

6895 Telegraph Road

Bloomfield Hills, MI 48301-3138

(248) 647-9653

(248) 647-9683 (Fax)

MAGISTRATE JUDGE CAPEL

There is no other pending or resolved civil action arising out of the transaction or occurrence alleged in the Complaint.

COMPLAINT

**NOW COMES** Plaintiff **TISEO ARCHITECTS, INC.**, by and through its Attorneys **FREDERICK F. BUTTERS** of the law firm of **THOMAS M. KERANEN & ASSOCIATES, P.C.**, and complains against Defendant **SSOE, INC.** in the following particulars:

JURISDICTION AND VENUE

1. Plaintiff Tiseo Architects, Inc. (hereinafter "Tiseo") is a corporate entity which is formulated and exists under the auspices of the laws of the State of Michigan.



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DETROIT

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2. At all times relevant hereto, Tiseo has conducted continuous and systematic business as an architectural design and consulting firm in Livingston County, Eastern District of Michigan.

3. Defendant SSOE INC. is a foreign corporate entity.

4. At all times relevant hereto, SSOE INC. has conducted continuous and systematic business in Livingston County, Eastern District of Michigan.

5. This Court has original federal question jurisdiction over the claims that arise herein pursuant to 28 USC 1338(a) in that the issues arise under Title 17 and Title 15 of the United States Code. In addition, this Court has supplemental jurisdiction over any State law claims that arise out of the subject transaction.

6. Venue is appropriate in this Court pursuant to 28 USC 1391(B)(2) in that a substantial part of the events or omissions giving rise to the claims advanced herein occurred within the limits of the territorial jurisdiction of this Court.

**GENERAL ALLEGATIONS COMMON TO ALL COUNTS**

7. On or about June 13, 2002, Tiseo contracted with non-party First Commercial Realty for the preparation of designs and documents necessary to secure Site plan Approval for a contemplated construction project commonly known as "Chilson Commons" located at M-36 and Chilson Road, Hamburg Township, Michigan. A copy of the Tiseo work product documents are appended hereto at Exhibit "A".

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8. By February 25, 2003, Tiseo had completed that work and issued documents reflecting the substance thereof. Tiseo thereafter stood ready to complete the construction documentation necessary to begin the actual construction work.

9. On information and belief, First Commercial Realty and/or a related LLC which had acquired rights in the project transferred those rights to the large anchor grocery store to Kroger.

10. In May of 2004, Tiseo received building foundation plans from SSOE, ostensibly forwarded to Tiseo for purposes of coordinating work on adjacent buildings Tiseo was performing with work to be performed for the large anchor grocery store.

11. In June of 2005, Tiseo employees visited the site to review the construction of the remaining buildings in the complex.

12. At that time, Tiseo employees discovered that not only had work commenced on the large anchor grocery store, the building was in a virtually completed state. Tiseo employees recorded their observations in the form of photographs, copies of which are appended hereto at Exhibit "B."

13. The completed building is virtually identical to the Tiseo Site Plan Approval work product documents.

14. Thereafter, Tiseo requested copies of the drawings prepared for building permits applications from the local building authority. Excerpts of the SSOE documents received through that means are appended hereto at Exhibit "C".

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15. Building permit documents had been prepared by Defendant SSOE, and they had been submitted to the local building authority for permits in June of 2004.

16. The SSOE documents bear the seal of one Terrance Granger, Architect, who is listed in SSOE's most recent Annual Corporate Report as a Vice President of the SSOE entity. The SSOE documents make no mention of the Tiseo involvement or design, and effectively represent the entirety of the work product as that of SSOE.

17. The SSOE building permit documents accurately reflect the building as it was constructed. On information and belief, the building itself was actually constructed from the SSOE building permit documents.

18. The SSOE building permit documents reflect a building which is virtually identical to the Tiseo design as that design is contained in the Tiseo Site Plan Approval work product documents.

19. The June 2004 SSOE documents, and the building constructed therefrom, are derivative and essentially duplicative of the Tiseo design as that design was set out in the Tiseo Site Plan Approval documents.

**COUNT I**  
**COPYRIGHT INFRINGEMENT**

20. Tiseo incorporates the substance of Paragraph(s) 1 through 19 above by reference, as if such were set forth and repeated verbatim herein.

21. Technical drawings, architectural works and attendant design documents produced by Tiseo are copyrightable under 17 UCS 101 and 102, because they are original works of authorship fixed in a tangible medium of expression which can be perceived,

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reproduced or otherwise communicated.

22. Tiseo, as the author and creator of the technical drawings, architectural works and attendant design documents, is initially vested with copyright protection under 17 USC 2001 in said materials.

23. Tiseo holds a valid Copyright in all of the technical drawings, architectural works and attendant design documents at issue herein, and therefore holds certain exclusive use rights in the materials as granted to it under 17 USC 106. Among the exclusive rights is the right to reproduce the technical drawings, architectural works and attendant design documents, and the right to preclude others from doing so.

24. Tiseo has not transferred any of its exclusive rights in the copyrighted technical drawings, architectural works and attendant design documents to the Defendant (or otherwise), nor has it licensed the Defendant to reproduce same.

25. Despite the lack of any rights conferred upon them by Tiseo to do so, the Defendant, in derogation of Tiseo's exclusive rights, copied and published Tiseo's copyrighted works.

26. In the alternative, despite the lack of any rights conferred upon them by Tiseo to do so, the Defendant, in violation of Tiseo's exclusive rights, prepared and published works that are derivative of Tiseo's copyrighted works.

27. The unauthorized reproduction of Tiseo's documents and the intellectual property they contain and reflect by the Defendant constitutes a wilful infringement of Tiseo's exclusive copy and other exclusive use rights.

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28. Tiseo has complied with 17 USC 410 by delivering its application, fee, and deposit of materials to the Register of Copyrights, thereby claiming its copyright in the technical drawings, architectural works and attendant design documents at issue. Tiseo has also received certificates of registration for the copyrighted materials from the Register of Copyrights. A copy of the certificate is appended hereto at Exhibit "D."

29. Tiseo has accordingly met all of the requirements of 17 USC 411, and it therefore entitled to enforce its remedies against the Defendant.

30. Occasioned on the Defendant's infringement of its exclusive rights of use and reproduction of the subject technical drawings, architectural works and attendant design documents, Tiseo has suffered and will continue to suffer injury as provided for in the applicable statute, including but not limited to lost profits and lost potential business opportunity.

**WHEREFORE** Plaintiff **TISEO ARCHITECTS, INC.**, demands Judgment against Defendant **SSOE, INC.** in an amount borne by the evidence, including in accordance with applicable statutes, together with an order prohibiting further copying or distribution of the subject materials and an order requiring their immediate return to the possession and control of Tiseo, and an order taxing to the Defendants all costs and Attorney's fees wrongfully incurred in the formulation and prosecution of this cause.

**COUNT II**  
**VIOLATION OF LANHAM ACT**

31. Tiseo incorporates the substance of Paragraph(s) 1 through 30 above by reference, as if such were set forth and repeated verbatim herein.

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32. The Lanham Act, at 15 USC 1125 prohibits, inter alia, false designations of origin and false descriptions in connection with goods or services used in commerce.

33. Pursuant to the Lanham Act, any person who, or in connection with any goods or services, or any container for goods, uses in commerce any word, term, name, symbol, or device, or any combination thereof, or any false designation of origin, false or misleading description of fact, or false or misleading representation of fact, which is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of such person with another person, or as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person, shall be liable in a civil action by any person who believes that he or she is likely to be damaged by such acts.

34. Defendant SSOE has represented Tiseo's work product as its own, falsely designating itself as the Architect / Engineer for the work on the construction documents and otherwise.

35. Defendant SSOE's conduct in that regard constitutes a false designation of origin, a false or misleading description of fact and/or a false or misleading representation of fact which is likely to cause confusion, or cause mistake, or to deceive as to the affiliation, connection, or association of such person with another person, or as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person.

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Case No.:

36. Defendant SSOE's conduct accordingly constitutes a violation of the Lanham Act.

37. Occasioned on Defendant SSOE's violation of the Lanham Act, Tiseo has suffered and will continue to suffer injury, including but not limited to lost profits and lost potential business opportunity.

**WHEREFORE** Plaintiff **TISEO ARCHITECTS, INC.**, demands Judgment against **SSOE, INC.** in an amount borne by the evidence, including in accordance with applicable statutes, together with an order prohibiting further copying or distribution of the subject materials and an order requiring their immediate return to the possession and control of Tiseo, and an order taxing to the Defendants all costs and Attorney's fees wrongfully incurred in the formulation and prosecution of this cause.

THOMAS M. KERANEN & ASSOCIATES, P.C.

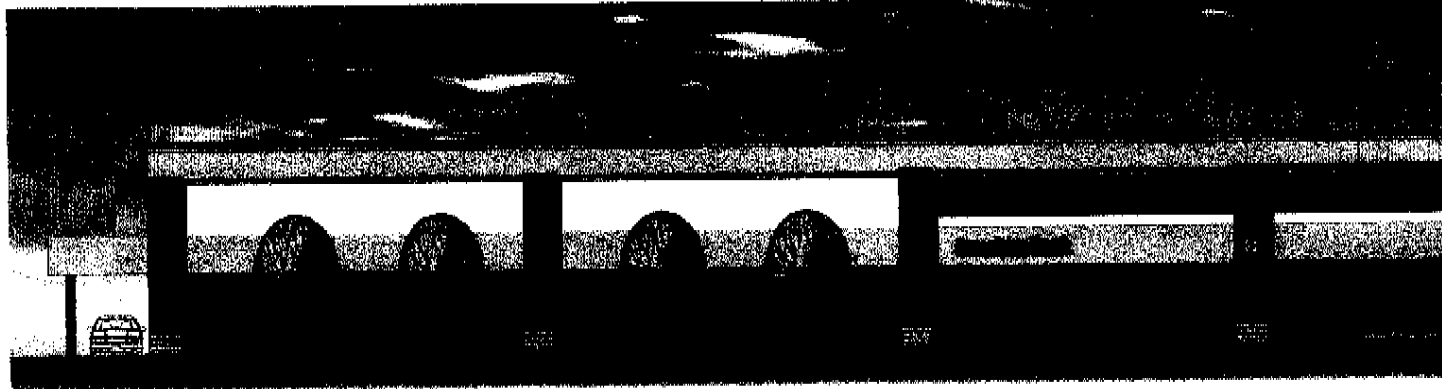
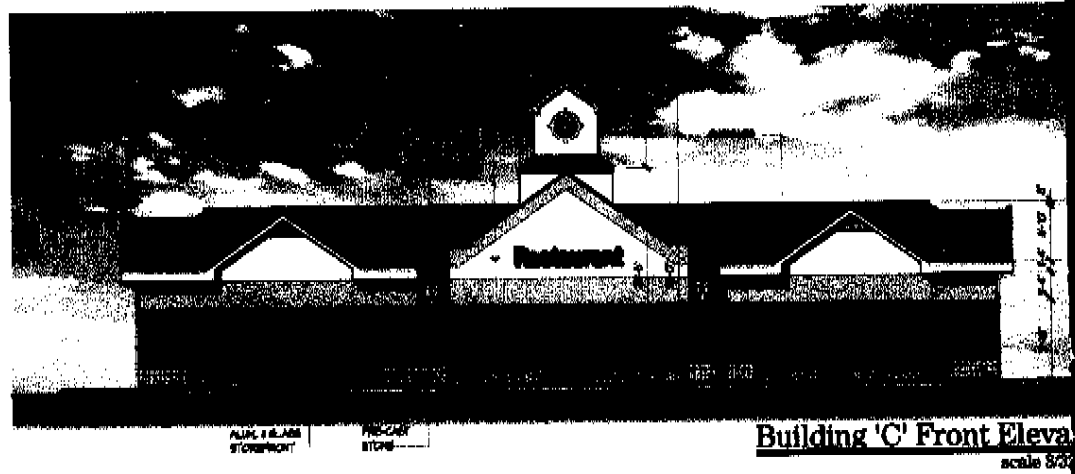
By: 

Frederick F. Butters, P45426  
Attorney for Plaintiff  
6895 Telegraph Road  
Bloomfield Hills, MI 48301-3138  
(248) 647-9653  
(248) 647-9683 (Fax)

Dated: June 28, 2005



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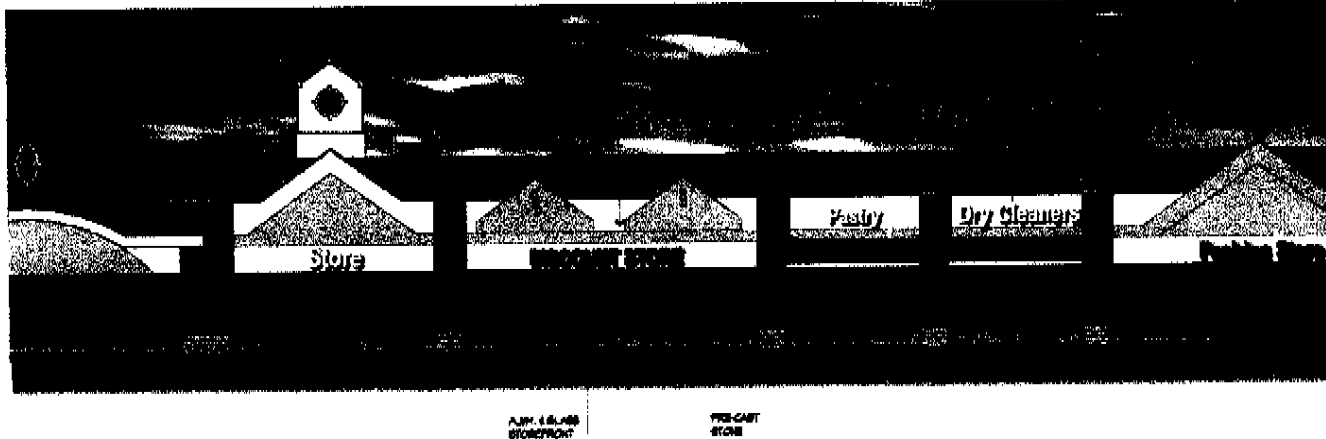
# Chilson Commons

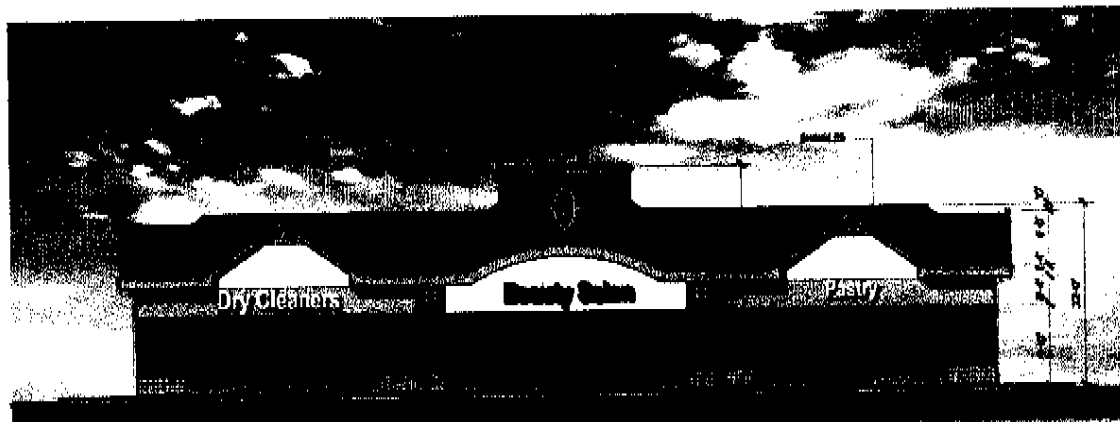
M-36 & Chilson Road  
Hamburg Twp., Michigan



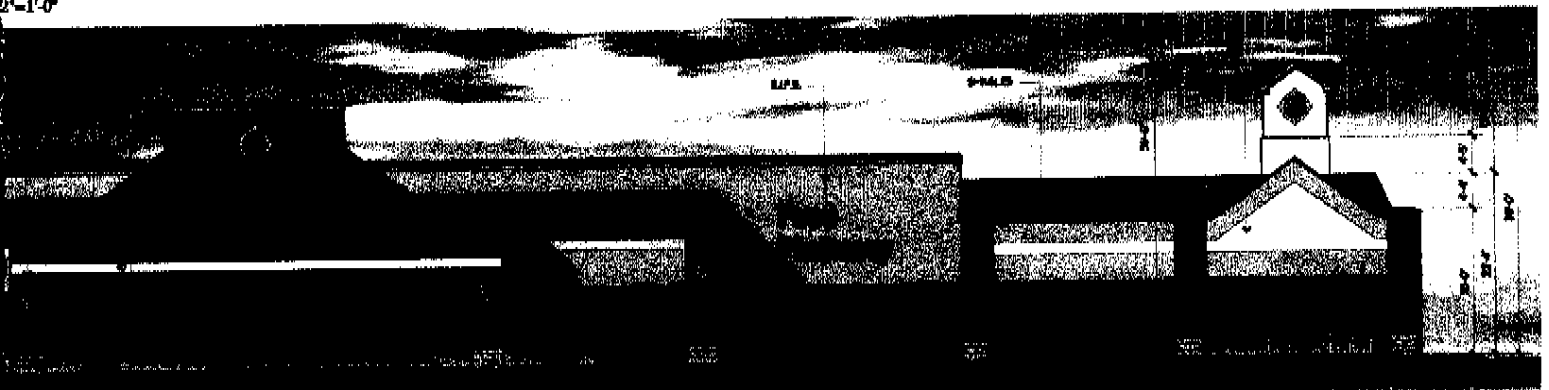
Tiseo Architects, Inc.

Project No. 00062  
25 Feb 2009





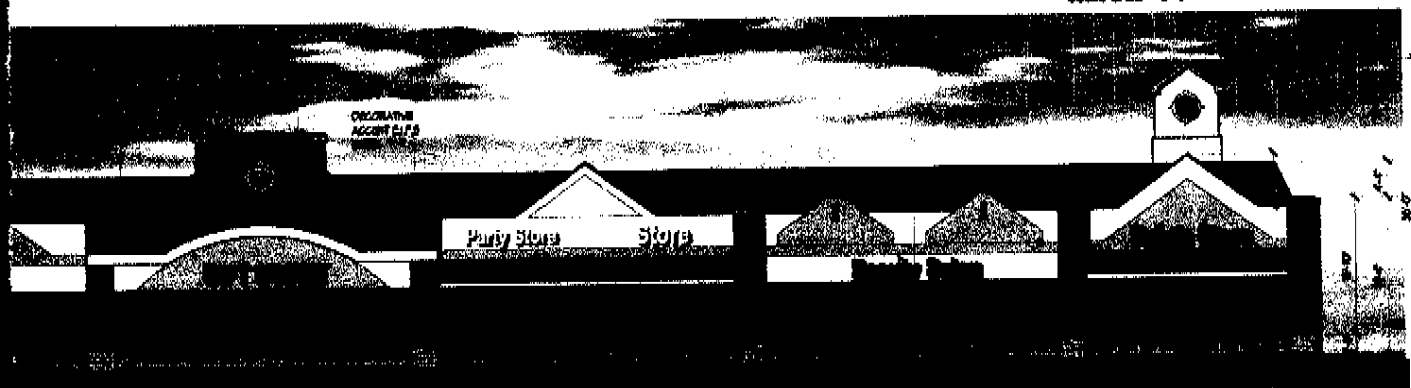
**Building 'D' & 'E' Front Elevation**  
scale 3/32"=1'-0"



**Anchor Front Elevation & Retail 'A' Side Elevation**  
scale 3/32"=1'-0"

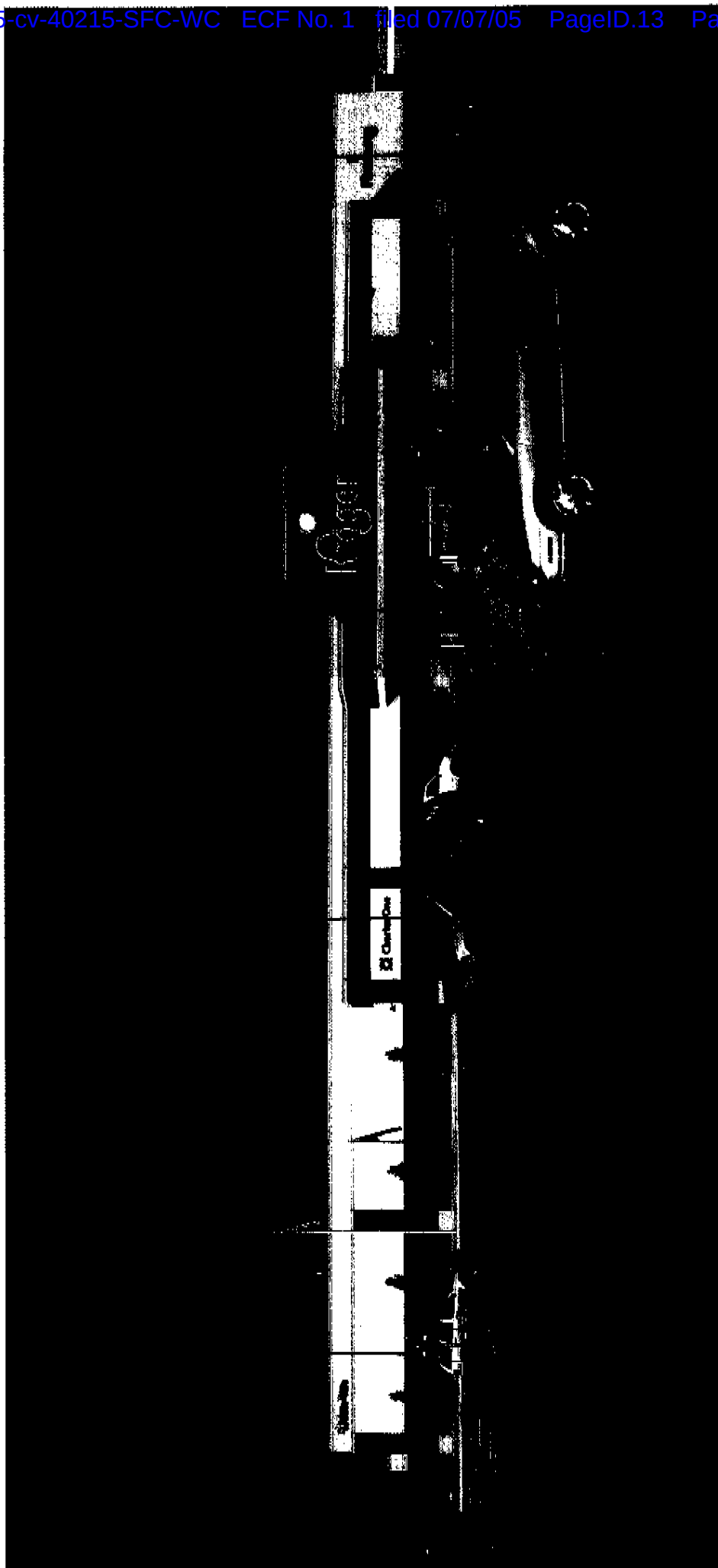


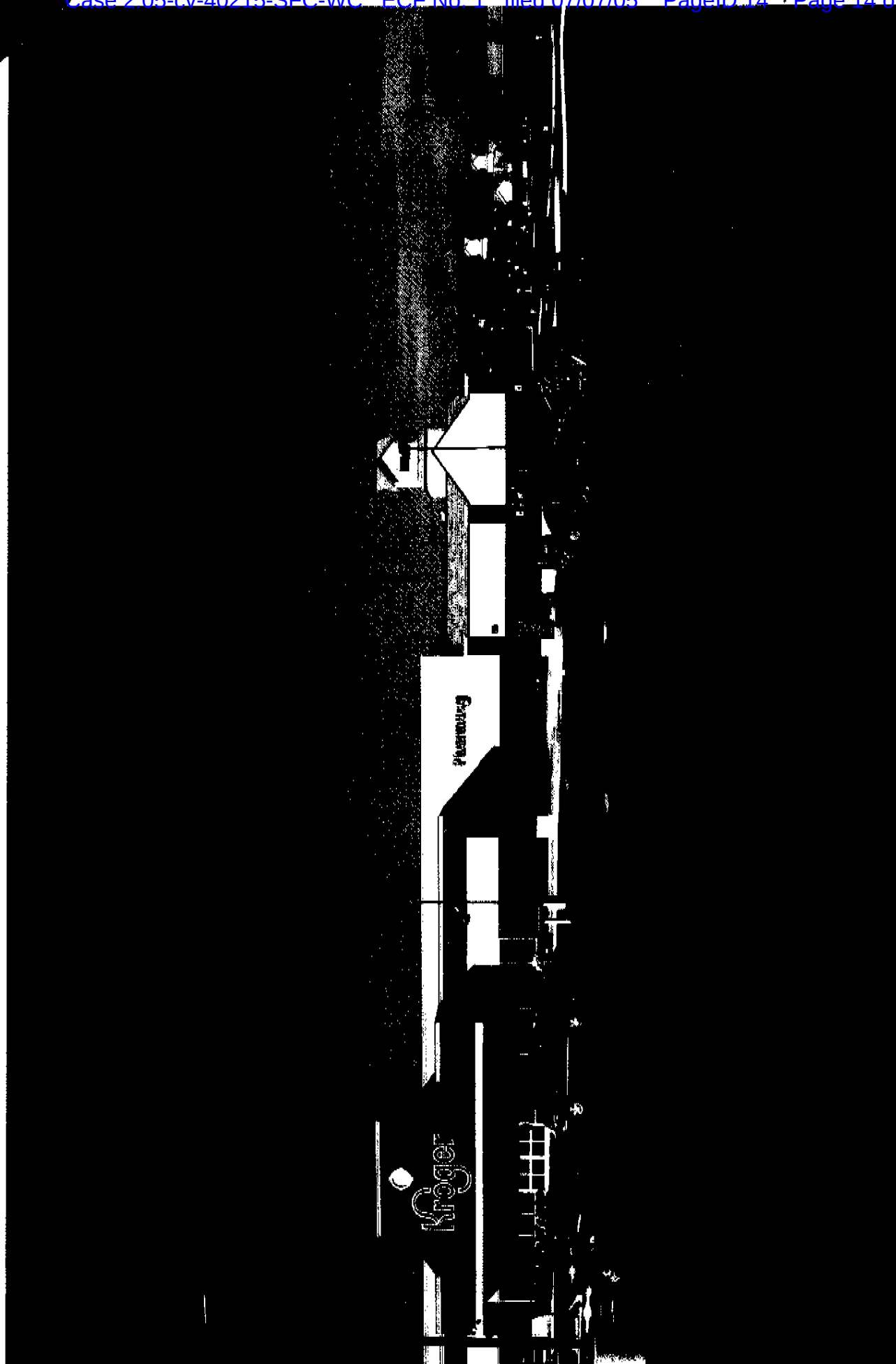
**Building 'A' Front Elevation**  
scale 3/32"=1'-0"

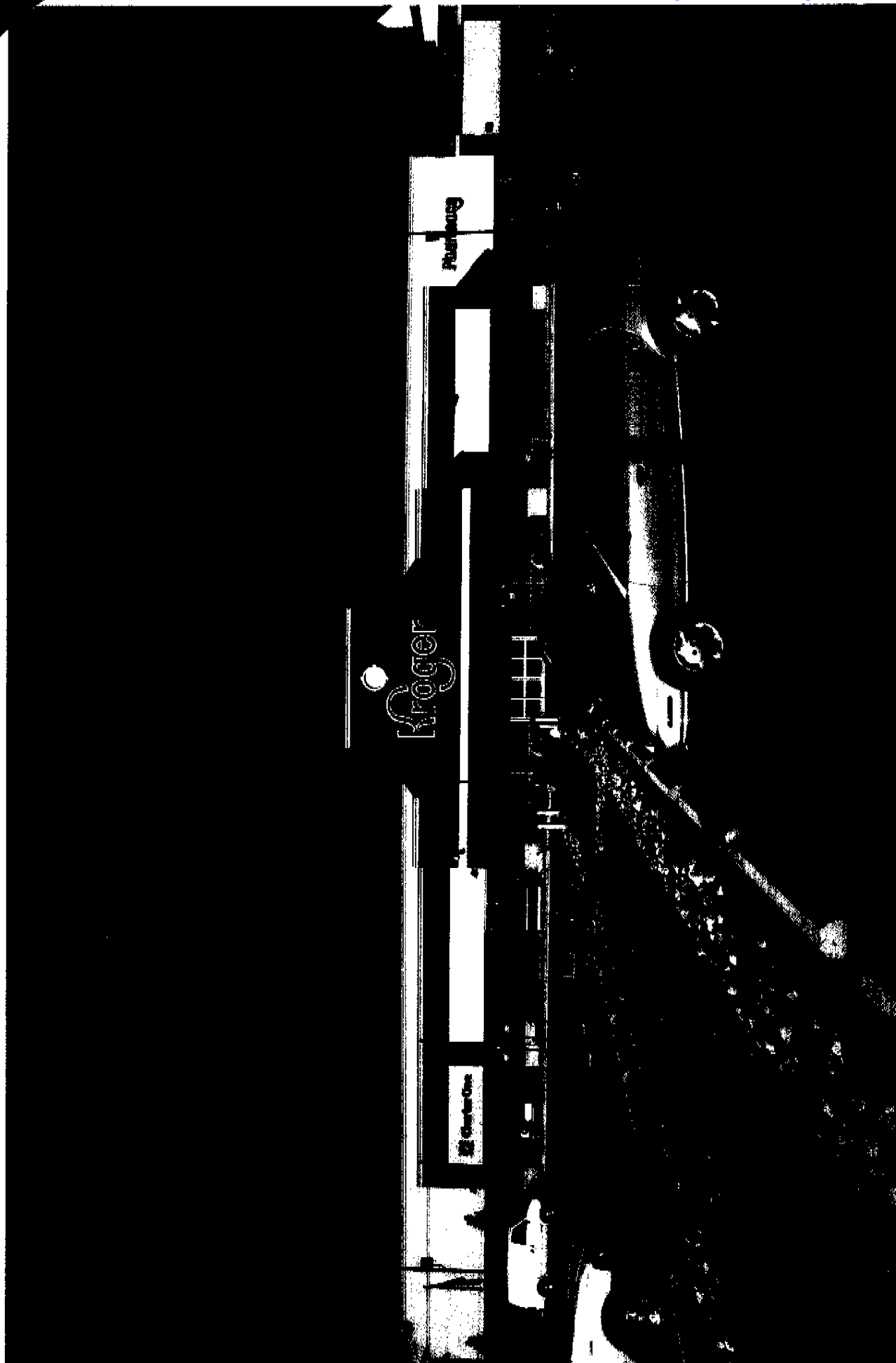


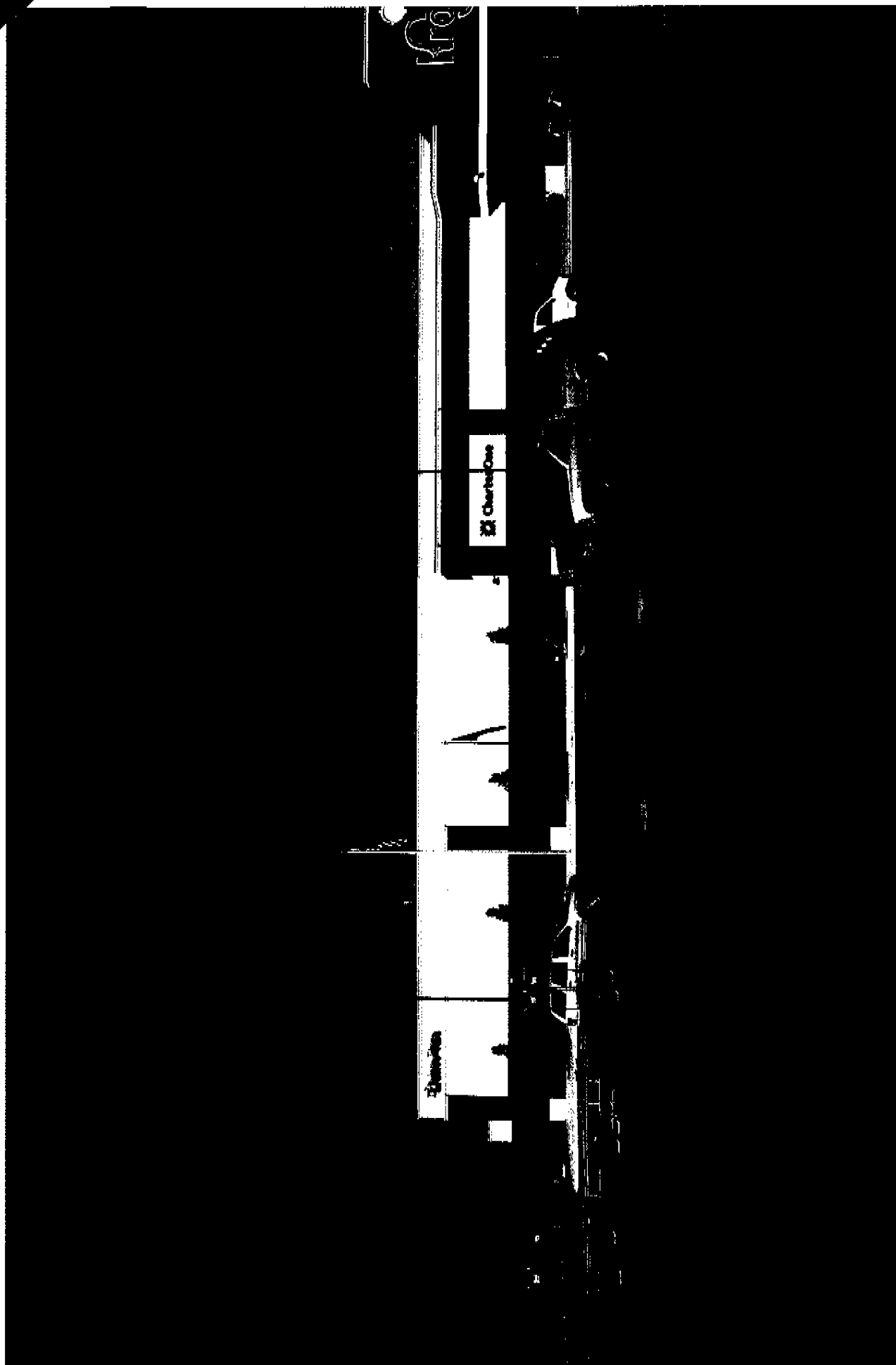
**Building 'B' Front Elevation**  
scale 3/32"=1'-0"

B

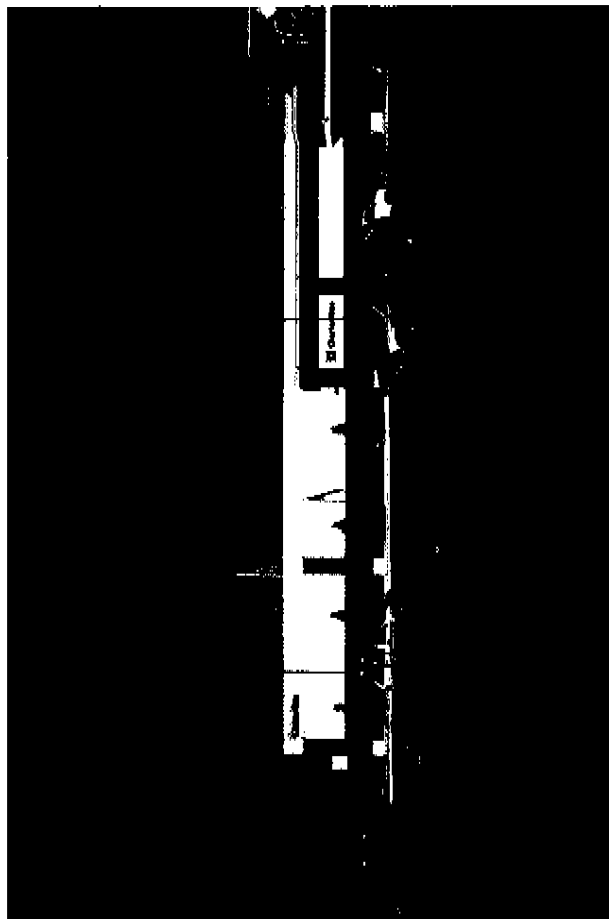








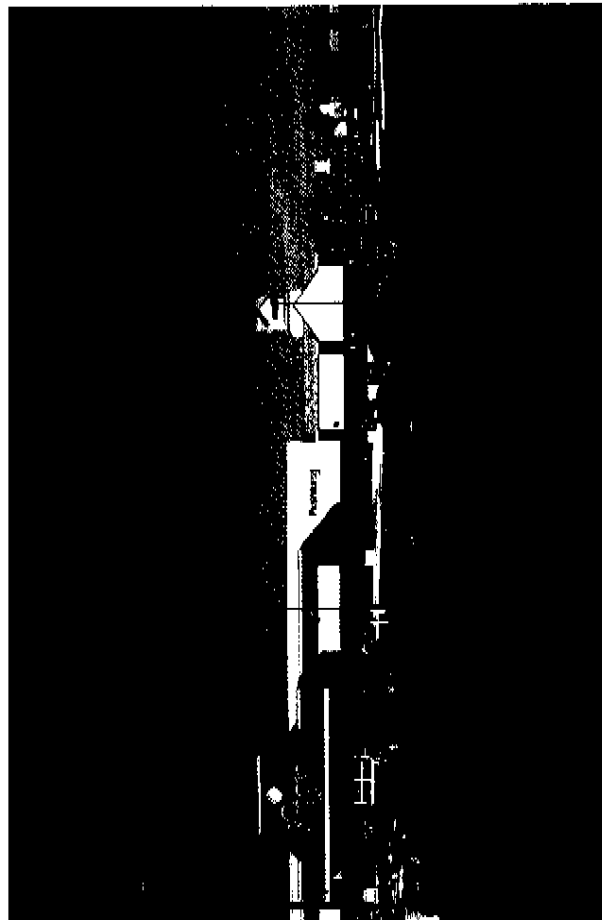




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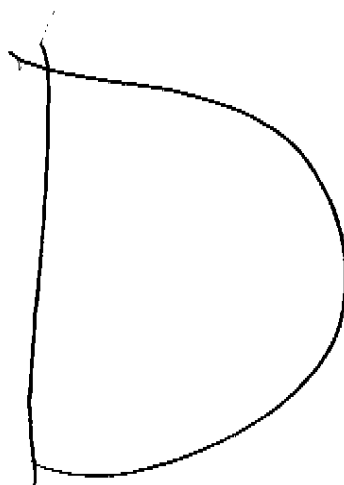
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CHILSON COMMONS, HAMBURG TWP., MICHIGAN

C





This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



Form VA  
Work of the Visual Arts

VAu 656-458



*Marybeth Peters*

RECEIVED

JUN 16 2005

EFFECTIVE DATE OF REGISTRATION

MAY 31 2005

Register of Copyrights, United States of America

TISEO ARCHITECTS, INC.

Month Day Year

A.M. P.M.

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

1 Title of This Work ▼ NATURE OF THIS WORK ▼ See Instructions  
Food Store Building Elevation, Chilson Commons, M-36 & Chilson Road Architectural work  
Hamburg Twn Michigan (2005)

Previous or Alternative Titles ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give Volume ▼ Number ▼ Issue Date ▼ On Pages ▼

2 a NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH  
Tiseo Architects, Inc., Employer for hire of Benedetto Tiseo Year Born ▼ Year Died ▼  
Was this contribution to the work a "work made for hire"? ☒ Yes ☐ No Author's Nationality or Domicile  
OR { Citizen of USA Domiciled in  
Was This Author's Contribution to the Work  
Anonymous? ☐ Yes ☐ No If the answer to either of these questions is "Yes" see detailed instructions.  
Pseudonymous? ☐ Yes ☐ No  
Nature of Authorship Check appropriate box(es) See Instructions  
☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing  
☐ 2-Dimensional artwork ☐ Photograph ☐ Text  
☐ Reproduction of work of art ☐ Jewelry design ☒ Architectural work

**NOTE**  
Under the law the author of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was made for hire, check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author of that part" and leave the space for dates of birth and death blank.

b Name of Author ▼ Dates of Birth and Death  
Year Born ▼ Year Died ▼  
Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No Author's Nationality or Domicile  
OR { Citizen of Domiciled in  
Was This Author's Contribution to the Work  
Anonymous? ☐ Yes ☐ No If the answer to either of these questions is "Yes" see detailed instructions.  
Pseudonymous? ☐ Yes ☐ No  
Nature of Authorship Check appropriate box(es) See Instructions  
☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing  
☐ 2-Dimensional artwork ☐ Photograph ☐ Text  
☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work

3 a Year in Which Creation of This Work Was Completed 2003 This information must be given ONLY if this work has been published b Date and Nation of First Publication of This Particular Work  
Month Day Year Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2 ▼ APPLICATION RECEIVED  
Tiseo Architects, Inc. MAY 31 2005  
19815 Farmington Road, Livonia, Michigan 48152 ONE DEPOSIT RECEIVED  
MAY 31 2005  
TWO DEPOSITS RECEIVED  
Funds RECEIVED  
Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright ▼  
DO NOT WRITE HERE OFFICE USE ONLY

MORE ON BACK ► • Complete all applicable spaces (numbers 5-9) on the reverse side of this page.  
• See detailed instructions. Sign the form at the 5

DO NOT WRITE HERE  
Page 1 of 2

EXAMINED BY

FORM VA

CHECKED BY

☐ CORRESPONDENCE

Yes

FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION Has registration for this work or for an earlier version of this work already been made in the Copyright Office?

☐ Yes ☒ No If your answer is Yes why is another registration being sought? (Check appropriate box) ▼a ☐ This is the first published edition of a work previously registered in unpublished formb ☐ This is the first application submitted by the author as copyright claimantc ☐ This is a changed version of the work as shown by space 6 on this application

If your answer is Yes give Previous Registration Number ▼

Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work complete only 6b for a compilation

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates ▼

6

a See instructions  
before completing  
this space

b Material Added to This Work Give a brief general statement of the material that has been added to this work and in which copyright is claimed ▼

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office give name and number of Account.  
Name ▼ Account Number ▼

7

a

CORRESPONDENCE Give name and address to which correspondence about this application should be sent Name/Address/Apt/City/State/ZIP ▼

b

Benedetto Tisco

Tisco Architects Inc, 19815 Farmington Road, Livonia, Michigan 48152

Area code and daytime telephone number (248) 888-1300

Fax number (248) 888-1313

Email

CERTIFICATION\* I, the undersigned, hereby certify that I am the

check only one ▶

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of

Tisco Architects, Inc

Name of author or other copyright claimant or owner of exclusive right(s) &amp;

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Typed or printed name and date ▼ If this application gives a date of publication in space 3 do not sign and submit it before that date

Benedetto Tisco

Date 24 May 2005

Handwritten signature (X) ▼

X

8

Certificate  
will be  
mailed in  
window  
envelope  
to this  
address

Name ▼

Benedetto Tisco, AIA, Tisco Architects Inc

Number/Street/Apt ▼

19815 Farmington Road

City/State/ZIP ▼

Livonia, Michigan 48152

## YOU MUST

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS  
IN THE SAME PACKAGE

- 1 Application form
- 2 Nonrefundable filing fee in check or money order payable to Registrar of Copyrights
- 3 Deposit material

## MAIL TO:

Library of Congress  
Copyright Office  
101 Independence Avenue S E  
Washington D C 20540-6000

Fees are subject to change. For current fees about the Copyright Office website or their copyright, go to the Copyright Office or call (202) 707-9000

9

17 U.S.C. § 506(a) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 409 or in any written statement filed in connection with the application shall be fined not more than \$2,500.

JS 44 (Rev. 11/04)

## CIVIL COVER SHEET

05-40215  
ORIGINAL

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

Tiseo Architects, Inc.

(b) County of Residence of First Listed Plaintiff Wayne  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Thomas M. Keranen & Associates, P.C.  
Frederick F. Butters, P 45426

## DEFENDANTS

SSOE, Inc. a foreign corporation

County of Residence of First Listed Defendant Wayne  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
LAND INVOLVED: PAUL V. GADOLA

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☐ 2 U.S. Government Defendant  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

| CONTRACT   | TORTS  | FORFEITURE/PENALTY   | BANKRUPTCY   | OTHER STATUTES   |
|--|--|--|--|--|
| <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability<br><input type="checkbox"/> 196 Franchise | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Federal Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury<br><b>PERSONAL INJURY</b><br><input type="checkbox"/> 362 Personal Injury - Med. Malpractice<br><input type="checkbox"/> 365 Personal Injury - Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 610 Agriculture<br><input type="checkbox"/> 620 Other Food & Drug<br><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 630 Liquor Laws<br><input type="checkbox"/> 640 R.R. & Truck<br><input type="checkbox"/> 650 Airline Regs.<br><input type="checkbox"/> 660 Occupational Safety/Health<br><input type="checkbox"/> 690 Other | <input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>PROPERTY RIGHTS</b><br><input checked="" type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 840 Trademark<br><b>SOCIAL SECURITY</b><br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g))<br><b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | <input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 480 Consumer Credit<br><input type="checkbox"/> 490 Cable/Sat TV<br><input type="checkbox"/> 810 Selective Service<br><input type="checkbox"/> 850 Securities/Commodities/Exchange<br><input type="checkbox"/> 875 Customer Challenge 12 USC 3410<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 892 Economic Stabilization Act<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 894 Energy Allocation Act<br><input type="checkbox"/> 895 Freedom of Information Act<br><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice<br><input type="checkbox"/> 950 Constitutionality of State Statutes |
| <b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment<br><input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property   | <b>CIVIL RIGHTS</b><br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/Accommodations<br><input type="checkbox"/> 444 Welfare<br><input type="checkbox"/> 445 Amer. w/Disabilities - Employment<br><input type="checkbox"/> 446 Amer. w/Disabilities - Other<br><input type="checkbox"/> 440 Other Civil Rights   | <b>PRISONER PETITIONS</b><br><input type="checkbox"/> 510 Motions to Vacate Sentence<br><b>Habeas Corpus:</b><br><input type="checkbox"/> 530 General<br><input type="checkbox"/> 535 Death Penalty<br><input type="checkbox"/> 540 Mandamus & Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition   |  |  |

## V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify)  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
17 USC 101, et seq. and 15 USC 1125

Brief description of cause:  
Copyright Infringement and violations of Lanham Act

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING OFF

JUDGE

MAG. JUDGE

## PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes  
☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes  
☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Notes :

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